

# COMMISSION OF THE EUROPEAN COMMUNITIES

COM(77) 209 final  
Brussels, 31 May 1977

## Proposal for a COUNCIL REGULATION

concerning import arrangements for certain  
jute products originating in the People's  
Republic of Bangladesh

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(submitted to the Council by the Commission)



## EXPLANATORY MEMORANDUM

1. By decision of 20 January 1976 the Council authorized the Commission to open negotiations with Bangladesh for the conclusion of a new agreement on trade in jute products as the Agreement previously in force had expired.

In accordance with this decision the Commission, in consultation with the Article 113 Committee, conducted negotiations with Bangladesh in April, May and July 1976. These negotiations culminated in a draft Agreement initialled by the Heads of Delegation on 23 July. The recommendation for a regulation concluding the Agreement submitted by the Commission to the Council was approved by the Council on 25 March 1977.

2. The draft Agreement provides inter alia for voluntary restraint, within quantitative limits agreed by the Bangladesh authorities, of exports to the Community of certain jute products and for a system of control by the Community that the agreed limits are being observed.

In order to permit this control to take place, this proposal for a regulation provides for the introduction of arrangements making imports into the Community of the products in question subject to quantitative limits.

3. The Agreement which has been initialled is concerned only with products originating in and coming from Bangladesh. The Bangladesh authorities will therefore apply voluntary restraint only to direct exports to the Community. Thus products covered by the Agreement and originating in Bangladesh may be freely exported to the Community through non-member countries. The Community may oppose such indirect exports, for by the Agreement it is only obliged to admit products originating in and coming from Bangladesh which are accompanied by an export authorization as required by the Agreement.

Since such indirect imports run counter to the objectives of the Agreement the import arrangements introduced by the Community must be applied to products originating in Bangladesh irrespective of where they come from.

4. It is proposed to administer the Community quantitative limits in accordance with the procedure for administering Community quantitative quotas established by Council Regulation (EEC) No. 1023/70, and in particular Article 11(1) thereof. Under this procedure the Council has to determine the criteria for allocating the quantitative limits.

The criteria referred to are primarily those taken as a guide for allocating the ceilings of the previous Agreement.

However, these criteria have been adjusted in the light of experience of the functioning of that Agreement, to permit a breakdown of the Community quantitative limits between the Member States on the basis of the results of work already done which is better adapted to the supply requirements of the various market (1).

5. The Agreement which has been initialled provides for the automatic, immediate acceptance by the Community authorities of imports subject to a ceiling upon production by the importer of an export authorization issued by the Bangladesh authorities certifying that the quantities have been set off against the agreed ceilings. This provision therefore obliges the Member States, authorities to grant import authorizations automatically as soon as a request is made accompanied by an export authorization, provided that the agreed limits are observed.
6. So that the objectives of the Agreement may be attained promptly the Commission proposes that the Council adopt the draft Regulation annexed hereto as soon as possible.

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(1) The allocation will be the subject of a regulation to be adopted by the Commission, likewise on the basis of Regulation No 1023/70.

PROPOSAL FOR A COUNCIL REGULATION

concerning import arrangements for certain jute products originating  
in the People's Republic of Bangladesh

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THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,  
and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas the European Economic Community and the People's Republic of  
Bangladesh have negotiated an Agreement on Trade and Commercial Co-operation  
in jute products; whereas the Council has approved the recommendation  
for a Regulation proposed by the Commission concluding that Agreement;

Whereas, in order to implement that Agreement, import arrangements  
should be laid down for the products concerned;

Whereas the Agreement requires the Community to permit imports of certain  
jute products within quantitative limits, the observance of which will  
be guaranteed by a system of double checking;

Whereas to this end the appropriate provisions valid in the Community  
for 1976, 1977, 1978 and 1979 and the criteria for the allocation of  
the quantitative limits agreed with the People's Republic of Bangladesh  
should be adopted;

Whereas the criteria for allocation must be based on those taken as a  
guide in allocating the quantitative limits of the former Agreement with  
the People's Republic of Bangladesh but also, in the light of the functioning  
of the former Agreement, be adjusted so as to achieve a breakdown between  
Member States which is better adapted to the supply requirements of their  
markets;

Whereas steps should be taken to ensure that the objectives of the Agreement  
are not thwarted by indirect imports of products originating in the People's  
Republic of Bangladesh;

Whereas imports should be set off against the quantitative limits fixed for  
the year during which the goods were exported from the People's Republic  
of Bangladesh;

Whereas products which enter the Community's customs territory under inward processing or other temporary admission arrangements and are re-exported from that territory in their original condition or after processing should not be set off against the above-mentioned quantitative limits,

HAS ADOPTED THIS REGULATION :

Article 1

1. Imports into the Community of the jute products listed in Annex A which originate in the People's Republic of Bangladesh and are exported between 1 January 1976 and 31 December 1979 shall be subject to the quantitative limits agreed between the Community and the People's Republic of Bangladesh and set out in Annex A.

2. These quantitative limits shall be allocated among the Member States in accordance with the procedure laid down in Council Regulation (EEC) No. 1023/70 of 25 May 1970 establishing a common procedure for administering quantitative quotas (1), and in particular in Article 11 thereof, in such a way as to ensure the expansion and orderly development of trade in jute products and to permit amounts to be carried over or brought forward from one year to another. However, the allocation made on the basis of the import volumes admitted on the conditions currently applied shall take account of the need to align them progressively with the supply requirements of the markets.

3. The competent authorities of the Member States concerned shall, within the quantitative limits prescribed, automatically authorize the import of the products referred to in paragraph 1 immediately upon presentation by the importer of the original export authorization issued by the competent authorities of the People's Republic of Bangladesh, containing the details set out in Annex B.

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(1) OJ No L 124, 8.6.1970, p.1

4. Authorized imports shall be set off against the quantitative limits valid for the annual period during which the products were placed on board in Bangladesh in order to be exported to the Community.

5. Products which enter the Community's customs territory under inward processing or other temporary admission arrangements and are re-exported from that territory in their original condition or after processing shall not be set off against the quantitative limits referred to in paragraph 1.

#### Article 2

This Regulation shall enter into force on the third day following its publication in the Official Journal of the European Communities.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, .

For the Council

The President

QUANTITATIVE LIMITS REFERRED TO IN ARTICLE 1

Category No	Common Customs Tariff heading	Description	Quantitative limits (tonnes)			
			1976	1977	1978	1979
4/5	57.10	Woven fabrics of jute or of other textile bast fibres of heading No 57.03:  ex B. of a width of more than 150 cm, other than those of category No 7	5.720	6.235	6.789	7.386
7	57.10	Woven fabrics of jute or of other textile bast fibres of heading No 57.03:  ex B. of a width of more than 150 cm, wholly or partially dyed or printed and having no visible selvages in the width	1.386	1.492	1.605	1.725



DETAILS REFERRED TO IN ARTICLE 1(3)

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The export authorizations issued by the authorities of the People's Republic of Bangladesh in respect of the products covered by this Regulation shall contain the following particulars :

- (a) the destination (relevant Member State),
- (b) the serial number,
- (c) the name and address of the importer,
- (d) the name and address of the exporter,
- (e) the net weight (in kilogrammes or tonnes) and the value,
- (f) the category and the classification of the products,
- (g) certification by the authorities of the People's Republic of Bangladesh stating the ceiling applicable to the product concerned,
- (h) the year during which the products were exported, i.e. were placed on board in India for export to the Community.

